

FEB 26 2020

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

TONY PEREZ WELCH,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
VETERANS AFFAIRS,

Defendant.

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Civil Action No.: 7:19cv48

By: Michael F. Urbanski

Chief United States District Judge

ORDER

On July 29, 2019, all dispositive and non-dispositive motions in this matter were referred to the Honorable Robert S. Ballou, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(A) and (B). The Magistrate Judge filed a report and recommendation on December 5, 2019, recommending that plaintiff Tony Perez Welch's ("Welch") motion for leave to amend the complaint be **DENIED**, ECF No. 14; defendant United States Department of Veterans Affairs' ("VA") motion to dismiss be **GRANTED**, ECF No. 5; and the case be **DISMISSED with prejudice**. No objections to the report and recommendation have been filed, and the court is of the opinion that the report and recommendation should be adopted to the extent consistent with this court's memorandum opinion on the motions.

Additionally, for the reasons stated in the accompanying memorandum opinion, Welch's motion for sanctions is **DENIED**, ECF No. 21.

Accordingly, it is **ORDERED** that Welch's motion for sanctions is **DENIED**, Welch's motion to amend the complaint is **DENIED**, and the VA's motion to dismiss is **GRANTED**. The case is hereby **DISMISSED with prejudice**.

The Clerk is **DIRECTED** to send a copy of this order to all counsel of record.

Entered: 02/26/2020

/s/ Michael F. Urbanski

Michael F. Urbanski
Chief United States District Judge